

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

H.B. 385  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30161-NK-51

Short Title: Regulation of Battery-Charged Security Fences. (Public)

Sponsors: Representative McNeely.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT COUNTIES AND CITIES FROM ADOPTING CERTAIN  
3 ORDINANCES, RULES, AND REGULATIONS RELATED TO BATTERY-CHARGED  
4 SECURITY FENCES AND TO DEFINE AND ESTABLISH REQUIREMENTS FOR  
5 THOSE BATTERY-CHARGED SECURITY FENCES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 6 of Chapter 153A of the General Statutes is amended by  
8 adding a new section to read:

9 "**§ 153A-134.1. Regulation of battery-charged security fences.**

10 (a) No county may adopt an ordinance, rule, or regulation that does any of the following:

11 (1) Requires any type of permit, fee, review, or approval for the installation or use  
12 of a battery-charged security fence in addition to a permit that may be required  
13 by an ordinance adopted by the governing board as authorized by  
14 G.S. 74D-11(c).

15 (2) Imposes installation or operational requirements for battery-charged security  
16 fences that are inconsistent with the requirements and standards described in  
17 subsection (b) of this section.

18 (3) Prohibits the installation or use of a battery-charged security fence on property  
19 that has been zoned for nonresidential use.

20 (b) For purposes of this section, the term "battery-charged security fence" means an alarm  
21 system and ancillary components, or equipment attached to that system, including a fence, a  
22 battery-operated energizer that is intended to periodically deliver voltage impulses to the fence,  
23 and a battery charging device used exclusively to charge the battery. A battery-charged security  
24 fence shall meet the following requirements:

25 (1) Interfaces with a monitored alarm device enabling the alarm system to  
26 transmit a signal intended to summon the business or law enforcement in  
27 response to an intrusion or burglary.

28 (2) Is located on property that is not designated by a county or city exclusively  
29 for residential use.

30 (3) Has an energizer that is powered by a commercial storage battery that is not  
31 more than 12 volts of direct current.

32 (4) Has an energizer that meets the standards established by the most current  
33 version of the International Electrotechnical Commission Standard  
34 60335-2-76.

35 (5) Is surrounded by a non-electric perimeter fence or wall that is not less than 5  
36 feet in height.



- 1           (6) Does not exceed 10 feet in height or 2 feet higher than the non-electric  
2           perimeter fence or wall, whichever is higher.  
3           (7) Is marked with conspicuous warning signs that are located on the  
4           battery-charged security fence at not more than 30-foot intervals and read:  
5           "WARNING—ELECTRIC FENCE"."

6           **SECTION 2.** Article 8 of Chapter 160A of the General Statutes is amended by  
7 adding a new section to read:

8 **"§ 160A-194.1. Regulation of battery-charged security fences.**

9           (a) No city may adopt an ordinance, rule, or regulation that does any of the following:

- 10           (1) Requires any type of permit, fee, review, or approval for the installation or use  
11           of a battery-charged security fence in addition to a permit that may be required  
12           by an ordinance adopted by the governing board as authorized by  
13           G.S. 74D-11(c).  
14           (2) Imposes installation or operational requirements for battery-charged security  
15           fences that are inconsistent with the requirements and standards described in  
16           subsection (b) of this section.  
17           (3) Prohibits the installation or use of a battery-charged security fence on property  
18           that has been zoned for nonresidential use.

19           (b) For purposes of this section, the term "battery-charged security fence" means an alarm  
20 system and ancillary components, or equipment attached to that system, including a fence, a  
21 battery-operated energizer that is intended to periodically deliver voltage impulses to the fence,  
22 and a battery charging device used exclusively to charge the battery. A battery-charged security  
23 fence shall meet the following requirements:

- 24           (1) Interfaces with a monitored alarm device enabling the alarm system to  
25           transmit a signal intended to summon the business or law enforcement in  
26           response to an intrusion or burglary.  
27           (2) Is located on property that is not designated by a county or city exclusively  
28           for residential use.  
29           (3) Has an energizer that is powered by a commercial storage battery that is not  
30           more than 12 volts of direct current.  
31           (4) Has an energizer that meets the standards established by the most current  
32           version of the International Electrotechnical Commission Standard  
33           60335-2-76.  
34           (5) Is surrounded by a non-electric perimeter fence or wall that is not less than 5  
35           feet in height.  
36           (6) Does not exceed 10 feet in height or 2 feet higher than the non-electric  
37           perimeter fence or wall, whichever is higher.  
38           (7) Is marked with conspicuous warning signs that are located on the  
39           battery-charged security fence at not more than 30-foot intervals and read:  
40           "WARNING—ELECTRIC FENCE"."

41           **SECTION 3.** This act is effective when it becomes law.